

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: McMorrow et al.

Serial No.: 10/055,577

Group No: 2685

Filed: 01/23/02

Examiner: Sonny Trinh

For: EDGE POWER DETECTOR/CONTROLLER

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ a small entity - verified statement:

☐ attached.

☐ already filed.

☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sarah E. Kennedy

(Type or print name of person mailing letter)

Date: 4/14/05

  
(Signature of person mailing paper)

## EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments)--If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

(a) X Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<u>    </u> one month	\$ 120.00	\$ 60.00
<u>    </u> two months	\$ 450.00	\$225.00
<u>  X  </u> three months	\$1,020.00	\$510.00
<u>    </u> four months	\$1,590.00	\$795.00
<u>    </u> fifth month	\$2,160.00	\$1,080.00

Fee \$ 1,020.00

If an additional extension of time is required please consider this a petition therefor.  
(check and complete the next item, if applicable)

     An extension for      months has already been secured and the fee paid therefor of  
\$      is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

(b)      Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOREXTRA	PRESENT RATE	FEE	ADDIT. OR	RATE	FEE	ADDIT.	
TOTAL	MINUS	=	1	x 25= \$	x50=	\$	50.00	
INDEP.	MINUS	=		x100= \$	x200=	\$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+145=\$	+290=	\$		
			TOTAL ADDIT. FEE \$	OR	TOTAL ADDIT. FEE	\$	0.00	

If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.  
 If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action ( . 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 CFR . 1.116(a) (emphasis added).

(complete (c) or (d) as applicable)

- (c) ☐ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$\_\_\_\_\_.

## FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 1,020.00.

☐ Charge Account No. \_\_\_\_\_ the sum of \$\_\_\_\_\_.

A duplicate of this transmittal is attached.

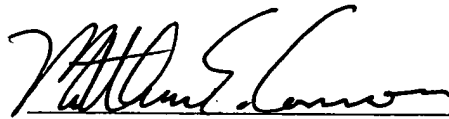
## FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. X If any additional extension and/or fee is required, charge Account No. 19-0079

## AND/OR

X If any additional fee for claims is required, charge Account No. 19-0079



SIGNATURE OF ATTORNEY

Reg. No.: 33,298

Tel. No.: (617) 426-9180  
Extension 112

Matthew E. Connors

Type or print name of attorney

Gauthier & Connors LLP

225 Franklin Street, Suite 3300

P.O. Address

Boston, Massachusetts 02110

Mailed on: April 14, 2005

Analog.6432

Enclosed are the following in re:

Patent Appln. of McMorroW et al.  
Serial No. 10/055,577  
Filed 01/23/2002

EDGE POWER DETECTOR/CONTROLLER

- 1) Amendment Transmittal
- 2) Response to Notice of Non-Compliant Amendment
- 3) \$1,020.00 Check for three (3) month extension
- 4) Request for Refund
- 5) Copy of Notice of Non-Compliant Amendment

DATE DUE: April 21, 2005

MEC/sek

**DOCKETED**

**RECEIVED**

**APR 22 2005**

This Paper Was  
Received By PTO On:

**GAUTHIER & CONNORS LLP**





# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,577	01/23/2002	Robert J. McMorro	Analog 6432	6111

7590 10/21/2004

MATTHEW E. CONNORS  
GAUTHIER & CONNORS LLP  
225 FRANKLIN STREET  
SUITE 3300  
BOSTON, MA 02110

**RECEIVED**

**MAR 21 2005**

**GAUTHIER & CONNORS LLP**

EXAMINER

TRINH, SONNY

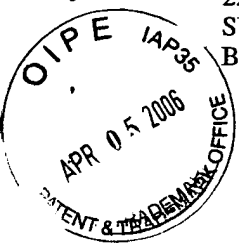
ART UNIT PAPER NUMBER

2687

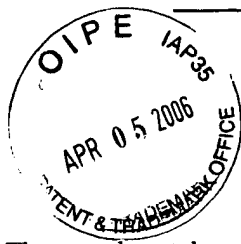
DATE MAILED: 10/21/2004

**DOCKETED**

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment document filed on 7/30/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).**

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: claim 33 should have status identifier (new) not (original).

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection,** and is not affected by the non-compliant status of the amendment.

Ruddick  
Legal Instruments Examiner (LIE)

(703) 306-2933  
Telephone No.